

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHARI THOMPSON, ) CASE NO. 8:04CV189

Plaintiff, )

vs. )

ADAM KYLE, P. CLARK, NOONAN, C., )

W. IHM, M. NOONAN, C. REIGEN and J. )

SMITH, )

Defendants. )

ORDER

SHARI THOMPSON and BILLY ) CASE NO. 8:05CV136

THOMPSON, )

Plaintiffs, )

vs. )

ADAM KYLE, P. CLARK, NOONAN, C., )

and DOES II through X, in their )

individual and official capacities, and )

the CITY OF OMAHA, a municipal )

corporation, )

Defendants. )

ORDER

This matter is before the Court on the Defendants' Motion for Separate Trials and a Stay of Discovery (Filing No. 31 in 8:04CV189, and Filing No. 46 in 8:05CV136). I have carefully considered the motion and supporting brief, and for reasons briefly explained below, I conclude that the motion should be denied.

I conclude that the consolidation of these matters for trial will best serve the goal of their just, speedy and inexpensive determination. Fed. R. Civ. P. 1 and 42. In reaching this conclusion, I have considered whether any conflict is presented by consolidation of these matters for trial, and whether any unfair prejudice might result to any party, including

the City of Omaha. I find that neither a conflict of interest nor unfair prejudice will be caused by consolidation. Given the circumstances of these cases, I find that the interests of economy and expedition identified in Rule 42(b) would not be furthered by separately trying these cases.

Having denied the motion for separate trials, there is no reason to grant a stay of discovery in favor of the City. Accordingly,

IT IS ORDERED:

- 1) The Defendants' Motion for Separate Trials and Stay of Discovery (Filing No. 31 in 8:04CV189, and Filing No. 46 in 8:05CV136) is denied in its entirety;
- 2) These cases are consolidated for all purposes, including for trial.

DATED this 5<sup>th</sup> day of April, 2006.

BY THE COURT

s/Laurie Smith Camp  
United States District Judge